

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ISMAEL BIMBOW,
Defendant.

21-CR-48 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Attached to this Order are Court Exhibits 1–5, which are the notes from the jury and the Court’s note in response.

SO ORDERED.

Dated: April 13, 2022
New York, New York



J. PAUL OETKEN
United States District Judge

Juror # 11, is the foreman.
KB.

Court exhibit # ~~B~~

11:15 am

① We, the jury need coffee and/or
Tea.

② Cookies and/or donuts.

(KB) Juror #11

Court exhibit #2

1:30 pm

Question

Explanation of page 38 paragraph 2.

* With respect to Count Two, because existence of narcotics conspiracy charged in Count One is an element of the crime charged in Count Two, if you find venue is proper with respect to the narcotics ~~conspiracy~~ conspiracy, then you must find that venue is proper with respect to Count Two as well.

Can you please guide us on the meaning of this?

(KB #11)

→ over

More specifically, if we find that
venue is proper in Count One,
do we need to independantly find
venue in Count Two?

KB #11

Court exhibit #3

2:39 pm

To: Judge Oetken

WE THE JURY HAVE REACHED
A DECISION.

KB #11

Court exhibit #4

4:12 pm

Members of the Jury:

In response to your question:

You must find venue as to both counts.

Under the law, if you find that venue is established by a preponderance of the evidence as to Count One, then it is also established as to Count Two.

Judge Oetken

4/12/2022

3:58 pm

Court exhibit #5

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-v-

ISMAEL BIMBOW,

Defendant.

21-CR-48 (JPO)

VERDICT SHEET

Please indicate each of your answers with a check mark:

1. **COUNT ONE:** On Count One, the charge of conspiring to distribute, or to possess with intent to distribute, mixtures and substances containing a detectable amount of fentanyl, and mixtures and substances containing a detectable amount of heroin, we find the Defendant:

Not Guilty _____

Guilty X

If and only if you find the Defendant guilty of Count One, please answer question 1a.

- 1a. We find that the Count One conspiracy included a conspiracy to distribute or possess with intent to distribute [check all that are applicable]:

Mixtures and substances containing a detectable amount of fentanyl X

Mixtures and substances containing a detectable amount of heroin X

If and only if you find the Defendant guilty of Count One and you find that the conspiracy included a conspiracy to distribute or possess with intent to distribute mixtures and substances containing a detectable amount of fentanyl, please answer question 1b.

- 1b. We find that the Count One conspiracy involved the following quantity of fentanyl:

400 grams or more X

At least 40 grams but less than 400 grams _____

Less than 40 grams _____

2. **COUNT TWO:** On Count Two, the charge of using or carrying a firearm during and in relation to, or possession of a firearm in furtherance of, the narcotics conspiracy charged in Count One, we find the Defendant:

Not Guilty _____

Guilty ☒ _____

April 12, 2022
Date

[REDACTED]
F

Court Exhibit #5 - 4/12/2022 4:30pm